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7 *Attorneys for Defendants*
 8 Joseph Johnson, Zachary Mahon,
 8 Nevada Department of Corrections,
 9 Skyler Sheets, and Jeremy Tafelmeyer

10 **UNITED STATES DISTRICT COURT**
 11 **DISTRICT OF NEVADA**

12 DAVID AGUILAR,

Case No. 3:23-cv-00547-ART-CSD

13 Plaintiff,

14 v.
ORDER GRANTING
STIPULATION AND PROPOSED
ORDER TO EXTEND DISCOVERY

15 J. TAFELMEYER; et al.,

(FOURTH REQUEST)

16 Defendants.

17 Plaintiff, David Aguilar (“Plaintiff”), through his attorney, Luke Busby, Esq., and
 18 Defendants, Joseph Johnson, Zachary Mahon, Nevada Department of Corrections (NDOC)
 19 Skyler Sheets and Jeremy Tafelmeyer (collectively “Defendants”), by and through counsel,
 20 Aaron D. Ford, Attorney General for the State of Nevada, and Mark Hackmann, Deputy
 21 Attorney General, respectfully submit the following Stipulation to Extend Discovery
 22 Deadlines outlined in ECF No. 62 at 3:14 -4:7 (Fourth Request):

23 **I. DISCOVERY COMPLETED**

24 Counsel met telephonically for an FRCP 26(f) conference on April 4, 2024.

25 Plaintiff served disclosures pursuant to FRCP 26, as follows:

26 1. Initial Disclosures:

27 Defendants served disclosures pursuant to FRCP 26, as follows:

28 1. Initial Disclosures: May 24, 2024

1 Plaintiff propounded Request for Production of Documents on Defendant NDOC. No
2 other discovery has been completed in this case.

3 **II. DISCOVERY THAT REMAINS TO BE COMPLETED**

- 4 1. Written Discovery
5 2. Depositions of Parties
6 3. Depositions of NDOC's FRCP 30(b)(6) witnesses
7 4. Depositions of percipient witnesses
8 5. Deposition of treating providers
9 6. Expert discovery, including expert disclosures and depositions
10 7. Subpoenas to third parties for records and information

11 **III. REASONS THE REMAINING DISCOVERY WAS NOT COMPLETED
12 WITHIN THE TIME LIMITS SET BY THE DISCOVERY PLAN**

13 This is a complex 42 U.S.C. § 1983 and Title II of the Americans with Disabilities
14 Act (ADA) case where Plaintiff is alleging constitutional violations of his Eighth
15 Amendment rights, in addition to violations of protections under the ADA. Plaintiff has
16 been granted leave to file the First Amended Complaint, which added one new claim and
17 one new Defendant. The parties agree that good cause exists for the requested extension of
18 time.

19 Defendants are requesting extra time to adequately respond to Plaintiff's discovery
20 requests and to provide Plaintiff enough time to thoroughly review responses and provide
21 follow up requests, should any be deemed necessary. This is the fourth request for extension
22 of these deadlines. This request is made in good faith and not for the purpose of delay.
23 Pursuant to LR 26-4 the parties provide the following information to the Court in
24 connection with their request for an extension of discovery deadlines.

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1 **IV. PROPOSED SCHEDULE FOR COMPLETING REMAINING DISCOVERY**

2 The parties jointly propose the following discovery plan, which allows approximately
 3 30 extra days to complete discovery:

	<u>Current Date</u>	<u>Proposed Date</u>
Discovery Cut-Off: FRCP 26(a)(2) Expert Disclosures:	May 30, 2025	June 30, 2025 ¹
i. Initial disclosure:	March 31, 2025 <i>(60 days before discovery cut-off)</i>	May 1, 2025
ii. Rebuttal disclosure:	April 30, 2025 <i>(30 days after initial disclosures)</i>	June 2, 2025 ²
Dispositive Motions:	June 30, 2025 <i>(30 days after discovery cut-off)</i>	July 30, 2025 <i>(30 days after discovery cut-off)</i>
Joint Pre-Trial Order:	July 30, 2025 <i>(30 days after dispositive motions)</i>	August 29, 2025 <i>(30 days after dispositive motions)</i>

13 In the event dispositive motions are filed, the date for filing the Joint Pretrial Order
 14 shall be suspended until thirty days after the decision on the dispositive motions or by
 15 further order of the court.

16 The parties anticipate that, pending any unforeseen circumstances outside the
 17 parties' control, the above extension of the current discovery deadlines should allow the
 18 parties to conduct and complete the outstanding discovery.

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26 ¹ 30 days from May 30, 2025, is Sunday June 29, 2025. The date has been adjusted
 27 accordingly to the next business day, which is Monday, June 30, 2025.

28 ² 30 days from May 1, 2025, is Saturday May 31, 2025. The date has been adjusted
 accordingly to the next business day, which is Monday, June 2, 2025.

1 This fourth request for an extension of the current discovery deadlines is made by
2 the parties in good faith and not for the purpose of delay.

3 DATED this 11th day of March, 2025. DATED this 11th day of March, 2025.

4 AARON D. FORD
5 Attorney General

6 By: /s/ Luke Busby
7 LUKE BUSBY, ESQ. (Bar No. 10319)
Attorney for Plaintiff

6 By: /s/ Mark Hackmann
7 MARK HACKMANN (Bar No. 16704)
Deputy Attorney General

8 *Attorneys for Defendants*

9 IT IS SO ORDERED.

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11 UNITED STATES MAGISTRATE JUDGE

12 DATE: March 11, 2025.

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